



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,764	03/05/2002	Kenji Nakata	500.41373X00	7420

20457 7590 05/25/2005

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

EXAMINER

HUYNH, BA

ART UNIT PAPER NUMBER

2179

DATE MAILED: 05/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/087,764

Applicant(s)

NAKATA ET AL.

Examiner

Ba Huynh

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 15-28 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This Office action is responsive to the amendment filed on 3/21/05. Claims 1-14 have been canceled. New set of claims 15-28 are presented and pending in this application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 15-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent application publication 2002/0156848 (Grouse), in view of US patent #6,363,352 (Dailey et al).

- As for claims 15, 22: Grouse teaches a method for conducting a desktop conference (Summary of the Invention), comprising the steps of:
 - allowing an authenticated first participants (convention attendee) to gain access to the conference using communication lines (0011, 0053),
 - displaying onto a display device used by the first participant a list of conference documents (0053, 0058, 0063, 0063) designated by a second participant (e.g., exhibitor, sponsor, lecturer, etc...) to related to the first participant,
 - displaying, when the first participant selects a document of the list of conference document, a desktop conference booking list prepared for booking a desktop conference with the second participant (0062, 0063, 0068), and allowing the first

participant to select a date and time (0016, 0056, 0088) of the desktop conference from among the desktop conference list, displaying the conference document, when the document is selected by a participant, setting up the conference room in a desktop conference server and displaying a screen to conduct the desktop conference in respective display devices used by the participants (0025, 0068, 0070-0081, 0084-0088).

Grouse fails to clearly teach automatically distributing electronic mail to the first and second participants when booking of the desktop conference is established by the first participant, to notify of the desktop conference. However, in the same field of virtual meeting, Dailey et al teach the automatically distributing electronic mail to the first and second participants when booking of the desktop conference is established to notify of the desktop conference (Dailey's 5:11-14, 18-24; 8:8-10). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey's teaching of automatically distributing electronic mail to the first and second participants when booking of the desktop conference is established by the first participant. Motivation of the combining is for the obvious needed of invitation, and acceptance verification as explicitly suggested by Dailey et al (8:8-10).

- As for claims 16, 23: The virtual conference includes a chat-room (Grouse's 0055, 0058, 0091). Textual messages can be sent to other participants through Email (0089).
- As for claims 17, 24: Conference document is displayed on a position of a display screen (0081, 0086).

Art Unit: 2179

- As for claims 18, 25: The system includes speech/text conversion (0018, 0025). Text is displayed in window 156 and message window 164.
- As for claims 19, 20, 26, 27: Conference information is preserved for participants in different time zones (0056, 0085). Thus recording is inherently included in Grouse. Even if it is not, implementation of recording a conference would have been obvious to one of skill in the art. Motivation of the implementation is for keeping a record of the conference.
- As for claims 21, 28: Fee is collected from attendee (0055, 0095). The combined teaching fails to teach that fee is collected according to the duration of using conference. However Official notice is taken that it would have been obvious to one of skill in the art, at the time the invention was made, to implement collecting fee according to the duration of using the conference. Motivation of the combining is for the obvious method of conducting business transaction wherein fee is calculated based on length of usage.

NOTE: Column and lines citations are in no way limiting the scope of the above references.

Response to Arguments

2. Applicant's arguments with respect to claims 15-28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Art Unit: 2179

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bad Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136.

Art Unit: 2179

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bad Huynh
Primary Examiner
AU 2179
5/16/05

BA HUYNH
PRIMARY EXAMINER